

## **STUDY ON THE USE OF FEDERAL, STATE, AND LOCAL FUNDS FOR PRIVATE EDUCATIONAL PLACEMENTS OF STUDENTS WITH DISABILITIES – YEAR TWO**

### *Draft Study Recommendations*

#### **FINDING #1 – THERE ARE CHALLENGES WITH USING CSA WRAP-AROUND SERVICES TO MAINTAIN STUDENTS IN THE LEAST RESTRICTIVE ENVIRONMENT (LRE).**

##### **Recommendations for Discussion**

1. *Request the State Executive Council (SEC) revisit existing policy restrictions and budgetary constraints with Children's Services Act (CSA) state pool funds for wrap around services for students with disabilities, including the prohibition on using funds for non-educational services provided by school employees, and make recommendations to improve both utilization and access to these funds.*
2. *Request the SEC establish a policy ensuring active case management for all families and youth, including students with disabilities as well as those students whose needs threaten their ability to be maintained in the public school setting, such as requiring families/school officials meet with the CSA family assessment and planning team (FAPT) at least annually.*
3. *Take no action.*
4. *Other options discussed by the Advisory Group.*

#### **FINDING #2 – VIRGINIA'S EXISTING SPECIAL EDUCATION STATE FUNDING STRUCTURE DOES NOT ADEQUATELY MEET THE NEEDS AND INCREASING NUMBERS OF HARD-TO-SERVE, SPECIAL EDUCATION STUDENTS.**

##### **Recommendations for Discussion**

1. *Request the Virginia Department of Education (VDOE) review Virginia's special education funding formula and make recommendations which address both capacity building and funding for students with disabilities, including those students with disabilities who are high-need and hard-to-serve, which encourage school divisions to creatively educate students with disabilities in the LRE. Other states' funding formulas and policies will be assessed to determine whether these approaches could be employed in the Commonwealth. VDOE shall also assess the efficacy of Virginia's regional special education programs and assess whether these programs should be expanded to other regions of the Commonwealth or provisions are needed to revise these programs.*
2. *Take no action.*
3. *Other options discussed by the Advisory Group.*

#### **FINDING #3 – THE UTILIZATION AND COSTS OF PRIVATE PLACEMENTS FOR SPECIAL EDUCATION STUDENTS IN VIRGINIA HAS INCREASED SIGNIFICANTLY.**

##### **Recommendations for Discussion**

1. *Introduce a language-only budget amendment stating that localities may require the local share of the Special Education Private Day Home Placements come from the localities' school boards' budget, rather than the localities' general government budget.*
2. *Introduce a budget amendment convening an interagency workgroup to assess the barriers to serving students with disabilities in the least restrictive environment. The workgroup shall assess existing policies and funding formulas including school division's program requirements, localities' composite indices, local CSA match rate allocations, local CSA rate setting practices, the impact*

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*of caps on support positions, policies for transitioning students back to the public school, and other barriers to LRE. Membership shall include all impacted state agencies, local education agency (LEA) representatives, local CSA representatives, local government officials, local special education administrators, stakeholder organizations, and members of the Virginia General Assembly. The workgroup shall make recommendations to the Virginia Commission on Youth prior to the 2017 General Assembly Session.*

- 3. Request the Office of Children's Services (OCS) collaborate with VDOE and include a track in their annual conference on best practices and effective strategies for serving children with disabilities in the least restrictive environments and increase knowledge and understanding on working with students with disabilities, as well as improving coordination between schools and CSA.*
- 4. Request the OCS include in its annual training plan strategies best practices and effective strategies for serving children with disabilities in the least restrictive environment and increase knowledge and understanding on working with students with disabilities, as well as improving coordination between schools and CSA.*
- 5. Take no action.*
- 6. Other options discussed by the Advisory Group.*

### **FINDING #4 – VIRGINIA'S REGIONAL SPECIAL EDUCATION PROGRAMS ALLOW SELECT SCHOOL DIVISIONS TO SERVE STUDENTS IN A LESS RESTRICTIVE ENVIRONMENT BUT THE EXISTING STRUCTURE NEEDS TO BE RE-EVALUATED.**

#### **Recommendations for Discussion**

- 1. Request the VDOE to conduct a study on Virginia's regional special education programs and report findings and recommendations to the Commission on Youth prior to the 2016 General Assembly Session.*
- 2. Introduce legislation/language-only budget amendment requiring Virginia's regional programs to annually report to the Virginia Department of Education information about student achievement, accountability ratings, attendance, disciplinary practices, program completion, and transition to LRE.*
- 3. Take no action.*
- 4. Other options discussed by the Advisory Group.*

### **FINDING #5 – THERE IS NO AVAILABLE DATA ABOUT THE EFFECTIVENESS OF CSA-FUNDED PRIVATE DAY AND RESIDENTIAL PROGRAMS.**

#### **Recommendations for Discussion**

- 1. Direct/Request that VDOE include identified outcome measures in its web-based directory of private day and residential providers including information on student achievement, assessment scores, attendance, disciplinary practices, program completion, and transition to LRE.*
- 2. Require private special education facilities be included on the VDOE school report card system and that programs report information on student achievement, assessment scores, attendance, disciplinary practices, program completion, and transition to LRE.*
- 3. Amend the Code of Virginia 22.1-332 to require VDOE to collect information on private day schools for students with disabilities to reflect student achievement, attendance, assessment*

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scores, and transition.

4. *Direct/Request VDOE establish a procedure requiring all assessment scores for private day students tagged as 'Special Situation' be included in the student's "home" school scores.*
5. *Direct/Request OCS to report annually CANS and CANVaS scores that measure educational outcomes by service placement name and type for all students being served in CSA-funded educational placements.*
6. *Take no action.*
7. *Other options discussed by the Advisory Group.*

### **FINDING #6 – VIRGINIA'S PARENT CONSENT PROVISIONS EXCEED FEDERAL REGULATIONS AND MAY HINDER SERVING STUDENTS WITH DISABILITIES IN THE LEAST RESTRICTIVE ENVIRONMENT.**

#### **Recommendations for Discussion**

1. *Amend Virginia's Regulations Governing Special Education Programs for Children with Disabilities based upon Kansas' policy which allows school divisions to modify a child's IEP requiring parental consent only when making a change of 25% or more of a special education service or before making a change to a more restrictive or less restrictive educational environment for more than 25% of the school day.*
2. *Take no action.*
3. *Other options discussed by the Advisory Group.*